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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,213	06/14/2000	Lee Jay Lorenzen	CCTYP001	7835

22434 7590 07/15/2003

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EXAMINER

ZEENDER, FLORIAN M

ART UNIT PAPER NUMBER

3627

DATE MAILED: 07/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/594,213

Applicant(s)

LORENZEN ET AL.

Examiner

F. Ryan Zeender

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3, 7-14 and 20-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-14, and 20-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 January 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 14. 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

A RCE was received on 6/5/03. Claims 6 and 19 were cancelled.

***Claim Rejections - 35 USC § 103***

Claims 1-3, 7-14, and 20-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gregory '567 in view of CHIASSON '513.

Gregory discloses, inherently teaches, or makes obvious all of the limitations of the claims except the specific teaching of the use of a universal shopping cart.

~~Wolfe~~ <sup>chiasson</sup> et al. teaches a similar data center system whereby a universal shopping cart is used (See, for example, paragraphs [0100-0104]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gregory to use a universal shopping cart, in view of CHIASSON, in order to "greatly facilitate e-commerce between a user and multiple merchant sites" (See CHIASSON, paragraph [0104]).

Claims 7 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Imamura et al. '600 in view of Wolfe et al.

Imamura et al. disclose or inherently teach all of the limitations of the claims except the specific teaching of the commerce system including a plurality of vendors (i.e., shops).

Wolfe et al. teach a similar data center system for linking a plurality of buyers with a plurality of vendors (i.e., dealers).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Imamura et al. to have the system include a plurality of vendors/shops, in view of Wolfe et al., in order to provide a system that efficiently connects buyers with appropriate vendors (see Wolfe et al.; Col. 2, lines 4-8 and Col. 2, lines 61-65).

Re claims 7 and 12: Imamura teaches the use of a shopping cart 213 for indicating items to be purchased.

### ***Response to Arguments***

Applicant's arguments submitted 6/5/03 have been considered but are not fully persuasive. Specifically, applicant's remarks regarding claims 7 and 12 are not persuasive because the claims were not rejected based on "amazon.com", as applicant implies. The claims were only rejected using Imamura et al. and Wolfe et al.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Ryan Zeender whose telephone number is (703) 308-8351. The examiner can normally be reached on Monday-Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Olszewski can be reached on (703) 308-5183. The receptionist's phone number for the Technology center is (703) 308-1113.

Application/Control Number: 09/594,213

Page 4

Art Unit: 3627

F. Zeender

Patent Examiner, A.U. 3627

July 14, 2003

*F. Zeender* 7/14/03